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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

YOUNAS HAJI,

Plaintiff,

v.

THE UNITED STATES OF AMERICA,
THE CITY OF NEW YORK, DRUG
ENFORCEMENT AGENCY SPECIAL
AGENTS ROBERT BARRETT, KATE
BARNARD, PAUL BUCHANAN, AND
UNKNOWN EMPLOYEES OF THE
UNITED STATES, NEW YORK STATE,
AND NEW YORK CITY,

Defendants.

ECF Case

No. 08 Civ. 2230 (TPG)(JCF)

**NOTICE OF MOTION TO
DISMISS, OR IN THE
ALTERNATIVE, FOR
SUMMARY JUDGMENT**

PLEASE TAKE NOTICE that, upon the accompanying Declarations of Drug Enforcement Administration Special Agent Robert Barrett, dated July 30, 2008, Special Agents Kate Barnard and Paul Buchanan, both dated July 31, 2008, and Assistant United States Attorney Carolina A. Fornos, dated July 31, 2008, and exhibits attached thereto, as well as the accompanying Memorandum of Law in Support of Defendants the United States of America, and Drug Enforcement Administration Special Agents Robert Barrett, Kate Barnard, and Paul Buchanan's (the "Federal Defendants") Motion to Dismiss or, in the alternative, for Summary

Judgment, and the Federal Defendants' Local Rule 56.1 Statement of Undisputed Facts, the Federal Defendants, by their attorney, MICHAEL J. GARCIA, United States Attorney for the Southern District of New York, hereby move this Court to dismiss the above-captioned Complaint pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), or in the alternative, grant summary judgment in favor of the Federal Defendants in accordance with Federal Rule of Civil Procedure 56.

Date: July 31, 2008
New York, New York

Respectfully submitted,

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